

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

CAREY COURTRIGHT, Individually and on  
behalf of K.C., a Minor,

Plaintiff,

v.

EPIC GAMES, INC.; ROBLOX CORP.;  
MOJANG STUDIOS; MICROSOFT CORP.;  
META PLATFORMS F/K/A FACEBOOK, INC.;  
GOOGLE LLC; ANOTHER AXIOM, INC.;  
REC ROOM, INC.; VRCHAT INC.; BANANA  
ANALYTICS, LLC; INNERSLOTH, LLC;  
PLAYEVERWHERE, INC.; AND JANE &  
JOHN DOE I-XX,

Defendants.

Case No.: 2:24-cv-04055-BCW

Hon. Brian C. Wimes

**MOTION TO WITHDRAW**

Adam T. Suroff, MO #51355, hereby moves to withdraw as counsel of record for Mojang AB, Microsoft Corporation, Another Axiom, Inc., Rec Room, Inc., VRChat Inc., and Banana Analytics. Mr. Suroff requests this withdrawal, because he is, currently, incorrectly named as lead attorney and/or counsel of record for the defendants identified in the previous sentence. Mr. Suroff is counsel only for Defendant Epic Games, Inc., which he properly identified in his Notice of Appearance. (No. 93).

On October 8, 2024, Defendant Epic Games, Inc. filed on behalf of defendants the Developer Defendants' Motion to Dismiss all claims in Plaintiff's First Amended Complaint. (No. 146). It was not Mr. Suroff's intention in filing that motion to enter his appearance for all

defendants in this case, only for Defendant Epic Games, Inc., and Mr. Suroff rightly identified himself as counsel only for Epic Games, Inc. in the signature block of that motion. (No. 146, p. 7).

It is thus merely an error that Mr. Suroff is currently named as lead counsel and/or counsel of record for Mojang AB, Microsoft Corporation, Another Axiom, Inc., Rec Room, Inc., VRChat Inc., and Banana Analytics. It is important that Mr. Suroff be removed as named counsel for these defendants, and remain solely as named legal counsel for Epic Games, Inc. Particularly, because all claims against Defendant Epic Games, Inc. are currently stayed pending arbitration, per this Court's Order granting Epic's motion to compel arbitration. (No. 189).

In Footnote 1, p. 1 of the Motion to Dismiss, it is clarified that Epic Games, Microsoft, Mojang AB, Rec Room, and VRChat have filed individual motions to enforce arbitration agreements and only join the Motion to Dismiss conditionally and alternatively, in case their arbitration motions are denied. (No. 146, p. 1). Consequently, Defendant Epic Games, Inc.'s motion to compel arbitration was granted. (No. 189). As such, Epic Games, Inc. should not be included in, and Mr. Suroff should no longer be identified as representing, the parties with whom the Court is currently attempting to schedule a Motion to Dismiss hearing.

WHEREFORE Adam T. Suroff respectfully requests the Court withdraw him as counsel, lead attorney, and/or counsel of record for Defendants Mojang AB, Microsoft Corporation, Another Axiom, Inc., Rec Room, Inc., VRChat Inc., and Banana Analytics, for all further pleadings, orders, notices, correspondence, and other papers in this case.

Dated: March 26, 2025

Respectfully submitted,

**SWANSON MARTIN & BELL LLP**

/s/ Adam T Suroff  
Adam T. Suroff, MO #51355

7501 Nall Avenue  
Prairie Village, KS 66802  
(314) 242-0915  
Email: asuroff@smbtrials.com

- AND -

**HUESTON HENNIGAN LLP**

Moez M. Kaba  
Allison L. Libeu  
Padraic Foran  
523 West 6th St., Suite 400  
Los Angeles, California 90014  
(213) 788-4340  
Email: mkaba@hueston.com  
alibeu@hueston.com  
pforan@hueston.com

Adam Minchew  
1 Little West 12th St.  
New York, New York 10014  
(646) 930-4046  
Email: aminchew@hueston.com

\* Admitted *pro hac vice*

*Attorneys for Defendant Epic Games, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that he served a copy of the foregoing via electronic filing on all counsel of record this 26<sup>th</sup> day of March, 2025.

By: /s/ Adam T Suroff